

Christopher Sproul (Cal. Bar No. 126398)
Brian Orion (State Bar No. 239460)
Stuart Wilcox (State Bar No. 327726)
Environmental Advocates
5135 Anza Street
San Francisco, California 94121
Telephone: (415) 533-3376
Facsimile: (415) 358-5695
Email csproul@enviroadvocates.com
borion@enviroadvocates.com
wilcox@enviroadvocates.com

Fredric Evenson (Cal. Bar No. 198059)
Ecology Law Center
P.O. Box 1000
Santa Cruz, CA 95061
Telephone: (831) 454-8216
Facsimile: (415) 358-5695
Email: evenson@ecologylaw.com

Attorneys for Plaintiff
ECOLOGICAL RIGHTS FOUNDATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ECOLOGICAL RIGHTS FOUNDATION, a
non-profit corporation,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Defendant.

Case No: 4:18-cv-00394-DMR

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING DEADLINE
FOR FILING MOTION FOR
ATTORNEYS' FEES AND COSTS

1 WHEREAS, on July 26, 2021, in the Court's Final Judgment (Dkt. 119) ("Final Judgment"), the
 2 Court set a deadline of October 13, 2021 for the filing of any motion for attorneys' fees and costs in this
 3 litigation, unless such deadline was modified by the Court at the next case management conference,
 4 which was then set for September 29, 2021;

5 WHEREAS, on September 22, 2021, the Court granted the parties' joint stipulation to continue
 6 the September 29, 2021 case management conference until November 3, 2021 to allow the parties
 7 additional time to attempt to settle the fees issue (*see* Dkt. 121);

8 WHEREAS, the parties have now reached an agreement in principle for the settlement of the
 9 amount of attorneys' fees and costs in this case;

10 WHEREAS, in the prior stipulation, the parties failed to request an extension of the forthcoming
 11 October 13, 2021 deadline for filing the motion for attorneys' fees and costs, but agree that the deadline
 12 should be extended to allow time for the formal approval process to be concluded, and to avoid the
 13 necessity of any fee motion;

14 NOW THEREFORE, pursuant to Civil Local Rule 7-12, the parties, by and through their
 15 undersigned counsel, hereby jointly stipulate as follows:

- 16 1. The October 13, 2021 deadline set in the Final Judgment should be extended for a period
 17 of sixty (60) days, until December 13, 2021.

18
 19 DATED: October 13, 2021

Respectfully submitted,

20 STEPHANIE M. HINDS
 21 Acting United States Attorney

22 /s/ Jevechius D. Bernardoni
 23 JEVECHIUS D. BERNARDONI
 Assistant United States Attorney

24 Attorneys for Defendant
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/s/ Christopher Sproul

CHRISTOPHER SPROUL

Environmental Advocates

5135 Anza Street

San Francisco, California 94121

Attorneys for Plaintiff

ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that all signatories have concurred in the filing of this document.

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the October 13, 2021 deadline set in the Final Judgment (Dkt. 119) is hereby extended for a period of sixty (60) days, until December 13, 2021.

IT IS SO ORDERED.

DATED: October 18, 2021



The Honorable Donna M. Ryu
U.S. Magistrate Judge